IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Mr. JUSTICE N.V. RAMANA

WRIT PETITION No. 24766 of 2004

Between:

Sure Sundaramma, w/o late Subbaramaiah,
R/o Mallamgunta H/o Tirupathi Rural Mandal,
Chittoor District. ..... PETITIONER

AND

Revenue Divisional Officer, Tirupathi,

Chittoor District. .....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ order or direction more in the nature of writ of mandamus declaring the action of the respondent in not disposing the appeal dt.25-10-2004 pending before the respondent as illegal, arbitrary, unconstitutional and in violation of Art.14, 21 and 300-A of the Constitution of India and contrary to the principles of natural justice and consequently direct the respondent not to interfere with the peaceful possession and enjoyment of the petitioner property situated Avilala Village Accounts, Tirupathi Rural Mandal, Chittoor District in Sy.No.494/4 of an extent of Ac.2.53 cents.

Counsel for the Petitioner : Mr.P.JAGADISH CHANDRA PRASAD

Counsel for Respondents : G.P. FOR REVENUE

The Court at the admission stage, made the following :

ORDER:

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Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing on behalf of the respondents and with their consent, the writ petition is being disposed of finally at the admission stage.

Assailing the action of the respondent in not passing any orders on the appeal preferred by the petitioner on 18.8.2004, the present writ petition is filed.

The petitioner claims to be in possession of land to an extent of Ac.2-54 cents in Survey No.494/4 of Avilala village, Tirupathi Rural Mandal, Chittoor district by virtue of D.K.T. patta No.120/IV/1364 dated 12.3.1954 granted to her family members that they are in possession of the said land by cultivating the same. It is stated that when the Mandal Revenue Officer initiating proceedings dated 27.8.2004 for cancellation of the said patta, she preferred appeal before the respondent and the same is pending. It is stated that the respondent authorities are trying to evict the petitioner without passing any orders on the appeal. Being aggrieved by the same, the present writ petition is filed.

In the circumstances, the writ petition is disposed of directing the respondent to consider and dispose of the appeal said to have been filed by the petitioner, in accordance with law, expeditiously, if not already disposed of.

The writ petition is accordingly disposed of at the admission stage. No costs.

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N.V.RAMANA, J

Date: 30.12.2004

TVK/DA

To

1. The Revenue Divisional Officer, Tirupathi, Chittoor District.

2 Two CCs to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT).

3 Two CD copies.